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March 13, 2003

## **ELECTRONICALLY FILED**

Ms. Marlene H. Dortch  
Secretary, Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20024

**Re: Notice of *Ex Parte* Presentation, for Filing in CC Docket No. 01-318.**

Dear Secretary Dortch:

Pursuant to section 1.1206(b) of the Commission's Rules, Fibertech Networks, LLC, by its attorneys, submits for filing in the above-captioned docket this notice of *ex parte* meetings on March 12, 2003. The purpose of the meetings was to discuss problems encountered by Fibertech Networks in attaching to utility poles and accessing conduit pursuant to Sections 224 and 251(b)(4) of the Communications Act of 1934, as amended, and to present Fibertech Networks' suggestions to the Commission for the resolution of these problems. Attached to this notice is a written outline of Fibertech Networks' substantive presentation, which also was provided to the meeting participants.

John Purcell, Chief Executive Officer, and Charles Stockdale, Vice President and Corporate Counsel, Fibertech Networks, LLC, and I met with the following FCC personnel:

Commissioner Kathleen Abernathy  
Matt Brill, Senior Legal Advisor to Commissioner Kathleen Abernathy

Lisa Zaina, Senior Legal Advisor to Commissioner Jonathan Adelstein

Christopher Libertelli, Senior Legal Advisor to Chairman Michael Powell

Jordan Goldstein, Senior Legal Advisor to Commissioner Michael Copps

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Daniel Gonzalez, Senior Legal Advisor to Commissioner Kevin Martin

Jeffrey Carlisle, Senior Deputy Bureau Chief, Wireline Competition Bureau  
Jeremy Miller, Senior Attorney, Competition Policy Division, WCB

Among the policy recommendations discussed at the meetings was Fibertech Networks' recommendation that certain performance metrics for ILEC compliance with the obligation to provide reasonable, nondiscriminatory access to poles and conduits under Sections 224 and 251(b)(4) of the Communications Act be implemented. Accordingly, pursuant to sections 1.1206(b) and 1.49(f) of the Commission's rules, this *ex parte* notice is being filed electronically for inclusion in the public record for the above-referenced docket.

Please direct any questions concerning this filing to the undersigned.

Sincerely,

s/  
Andrew D. Lipman  
*Counsel to Fibertech Networks, LLC*

Attachment

cc (by e-mail): Qualex International  
John Purcell  
Charles Stockdale